

10/009956  
JC05 Rec'd PCT/PTO 12 DEC 2001

301.1003

**UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: SANDERS, Mark  
Serial No.: To Be Assigned  
Filed: Simultaneously Herewith  
For: **MEDICAMENTS FOR TREATING  
RESPIRATORY DISORDERS COMPRISING  
FORMOTEROL AND FLUTICASONE**

**PRELIMINARY AMENDMENT**

United States Patent and Trademark Office  
Assistant Commissioner for Patents  
Arlington, VA 22202  
BOX: PCT

December 12, 2001

Sir:

Please amend the above-identified application as follows:

**IN THE SPECIFICATION**

Please add the enclosed abstract to the application as page number 18.

**IN THE CLAIMS.**

Please **delete** claims 30 - 33 and 35 without prejudice.

301.1003

## REMARKS

Claims 1 - 29 and 34 are pending. Claims 30 - 33 and 35 have been deleted without prejudice for not being in conformity with United States Patent Law.

A favorable action on the merits is respectfully requested.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: Clifford M. Davidson  
Clifford M. Davidson  
Reg. No. 32,728

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940

卷之三

**Abstract of the Disclosure**

There is described a method of treating or alleviating a respiratory disorder which comprises administering an effective amount of the active ingredients formoterol, or a pharmaceutically acceptable salt thereof, and fluticasone, or a pharmaceutically acceptable ester thereof, separately, sequentially or simultaneously, provided that the active ingredients comprise separate compositions. There is also described a dry powder inhaler containing formoterol, or a pharmaceutically acceptable salt thereof, and fluticasone, or a pharmaceutically acceptable ester thereof, which may be administered separately, sequentially or simultaneously, provided that they are administered as separate compositions.

PROCESSED - PRINTED